

THURSDAY, APRIL 7, 1994

EIGHTY-FOURTH LEGISLATIVE DAY

The House met at 9:00 A. M. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Steve Carr.

Representative Pinion led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Ritchie.

Representative Turner (Hamilton).

Representative Venable; out-of-town business.

Representative Whitson; personal reasons.

RECOGNITION

Speaker Naifeh recognized Rep. Napier and his guest Miss Lynnette Cole, Miss Maury County and Miss Mule Day, in the well for remarks.

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### REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 2759 and have this statement entered in the Journal: Rep. Huskey. I was unable to be in the chamber when the vote was taken.

### RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday, April 11, 1994:

House Joint Resolution No. 0643 -- Memorials, Sports -- Tommy Fox. by \*Stulce.

House Joint Resolution No. 0644 -- Memorials, Sports -- Amy Robertson. by \*Stulce.

House Joint Resolution No. 0645 -- Memorials, Professional Achievement -- Kingsport Area Safety Council, 50th anniversary. by \*Givens, \*Westmoreland, \*Ramsey.

House Joint Resolution No. 0646 -- Memorials, Recognition and Thanks -- Grace Curtis Sills. by \*Moore.

House Joint Resolution No. 0648 -- Memorials, Sports -- 1993-1994 Oneida High School girls' basketball team, TSSAA Class A state championship. by \*Winningham.

House Joint Resolution No. 0649 -- Memorials, Public Service -- Memphis Peacemakers Music Group. by \*DeBerry, \*Dixon, \*Turner L, \*Jones R, \*Byrd, \*Chumney, \*Brooks, \*Miller, \*Armstrong.

House Joint Resolution No. 0650 -- Memorials, Personal Occasion -- Richard and Louise Knight, 50th wedding anniversary. by \*Windle.

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

\*House Joint Resolution No. 0638 -- Highway Signs -- "Loretta Lynn Parkway," segment of S.R. 13, Humphreys County. by \*Collier.

Transportation Committee.

### SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Monday, April 11, 1994:

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**Senate Joint Resolution No. 0399** -- Memorials, Personal Occasion -- Vicie Haney Mitchell, 94th birthday.

**Senate Joint Resolution No. 0400** -- Memorials, Interns -- Courtney I. Smith.

**Senate Joint Resolution No. 0401** -- Memorials, Academic Achievement -- Peter M. Meenen III, Salutatorian, Ezell Harding Christian School.

**Senate Joint Resolution No. 0402** -- Memorials, Academic Achievement -- Lori Beth Cowan, Valedictorian, Gordonsville High School.

**Senate Joint Resolution No. 0403** -- Memorials, Academic Achievement -- Travis Bush, Salutatorian, Gordonsville High School.

**Senate Joint Resolution No. 0404** -- Memorials, Academic Achievement -- Carl Ray Conway, Jr., Valedictorian, Ezell Harding Christian School.

**Senate Joint Resolution No. 0408** -- Memorials, Interns -- Will Pinkston.

**Senate Joint Resolution No. 0409** -- Memorials, Sports -- Perry County boys' basketball team, TSSAA state tournament participant.

**Senate Joint Resolution No. 0410** -- Memorials, Congratulations -- Macon County High School Interact Club.

**Senate Joint Resolution No. 0411** -- Memorials, Sports -- Happy Valley High School boys' basketball team.

**Senate Joint Resolution No. 0412** -- Memorials, Sports -- 1993-1994 Happy Valley High School girls' basketball team, TSSAA State Tournament participants.

**Senate Joint Resolution No. 0413** -- Memorials, Recognition and Thanks -- Jack Tolley.

**Senate Joint Resolution No. 0414** -- Memorials, Recognition and Thanks -- Carter County 4-H Forestry Team.

**Senate Joint Resolution No. 0415** -- Memorials, Death -- Buddy Morgan, former mayor of Columbia.

**Senate Joint Resolution No. 0416** -- Memorials, Public Service -- Madison Kiwanis Club.

**Senate Joint Resolution No. 0449** -- Memorials, Retirement -- Senator Lou Patten.

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### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2909** -- Unicoi County -- Authorizes county commission to adopt necessary regulations to ensure safety of persons transiting Nolichucky River for recreational purposes; deletes present safety standards and operating procedures and penalties for violations thereof. Amends Chapter 40, Private Acts of 1983. by \*Whitson.

**House Bill No. 2910** -- Rutherford County -- Permits borrow pits to be used for construction purposes; prohibits material from borrow pit to be used for supplying rock-crushing or processing plant, asphalt producing plant or ready mixed concrete plant. by \*Bragg, \*Liles.

**House Bill No. 2911** -- New Johnsonville -- Revises provisions relative to organization of city government. Amends Chapter 77, Private Acts of 1971, as amended. by \*Collier.

**House Bill No. 2912** -- Athens -- Revises charter. Amends Chapter 455, Private Acts of 1953, as amended. by \*McKee.

**House Bill No. 2913** -- Greene County -- Transfers juvenile court clerk duties from county clerk to general sessions court clerk. by \*Haun.

**House Bill No. 2914** -- Greene County -- Repeals local specification of probate jurisdiction. Repeals Chapter 324, Private Acts of 1982. by \*Haun.

**House Bill No. 2915** -- Livingston -- Extends term of board of mayor and aldermen from two to four years. Amends Chapter 130, Acts of 1907, as amended. by \*Windle.

**House Bill No. 2916** -- Woodbury -- Revises city charter. Amends Chapter 633, Private Acts of 1925, as amended. by \*Buck.

**House Bill No. 2917** -- Woodbury -- Extends terms of board of mayor and aldermen. Amends Chapter 633, Private Acts of 1925, as amended. by \*Buck.

**House Bill No. 2918** -- Dayton -- Allows certain qualified persons living outside city limits to vote, under certain circumstances, based upon certain qualifications. Amends Chapter 267, Private Acts of 1953, as amended. by \*Duer.

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were Held on the Clerk's desk pending third consideration of the companion House Bill as noted:

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**\*Senate Bill No. 0170 -- Criminal Offenses --** Elevates simple assault upon pregnant woman to aggravated assault if fetus is viable at time of assault. Amends TCA 39-13-102. (HB 1247).

**\*Senate Bill No. 2034 -- Civil Procedure --** Requires submission of special jury instruction to determine fault of third party; increases number of days in which to join third party to action to be determined using comparative fault. Amends TCA, Title 20, Ch. 1, Pt. 1; Title 20, Ch. 9, Pt. 5. (HB 2074).

**Senate Bill No. 2340 -- Oakland --** Establishes new charter. Repeals Chapter 336, Private Acts of 1919, as amended. (HB 2182).

**\*Senate Bill No. 2379 -- Criminal Offenses --** Expands offense of parent knowing minor is in illegal possession of firearm on school or public property, to include standard of whether parent should have known; violation Class A misdemeanor. Amends TCA 39-17-1312. (HB 2094).

**\*Senate Bill No. 2393 -- Public Service Commission --** Creates public advocacy division within public service commission. Amends TCA, Title 65. (HB 2681).

**Senate Bill No. 2813 -- Eminent Domain --** Limits costs of condemnation case to bill of costs if award exceeds amount assessed by condemnor and deposited with clerk; taxing of additional costs to be governed by Rule 54.04 of Tennessee Rules of Civil Procedure. Amends TCA 29-17-812, 813. (\*HB 2541).

**Senate Bill No. 2847 -- Algood --** Changes date of election from June to November; extends term of mayor and council to November 1996 for mayor and two councilmen elected in June 1991, and to November 1998 for two councilmen elected in June 1993; requires popular approval. Amends Chapter 96, Private Acts of 1977. (HB 2868).

**Senate Bill No. 2848 -- Algood --** Changes name of Board of Mayor and Aldermen to Mayor and Council. Amends Chapter 69, Private Acts of 1977. (HB 2870).

**Senate Bill No. 2849 -- Baxter --** Establishes regular August election beginning in August 1996 as regular city election date; creates four year terms for city officials. Amends Chapter 35, Private Acts of 1915, as amended. (HB 2869).

**Senate Bill No. 2853 -- Contractors --** Exempts Sequatchie County from the provisions of the Contractors Licensing Act of 1976. Amends TCA, Title 62, Ch. 6. (\*HB 2844).

**Senate Bill No. 2877 -- Civil Defense --** Transfers ownership of regional emergency operations center in Winchester from State of Tennessee to Franklin County. (\*HB 2897).

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**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2905** -- McKenzie -- Held on Clerk's desk pending approval by local delegation.

**House Bill No. 2906** -- White Pine -- Held on Clerk's desk pending approval by local delegation.

**House Bill No. 2907** -- Medon -- Held on Clerk's desk pending approval by local delegation.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 7, 1994**, reported the following:

**COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for Monday, April 11, 1994**: House Bill(s) No(s). 1670, 1197, 2276, 2507, 2415, 2734, 2725, 1644, 2418, 2386; also, House Joint Resolution(s) No(s). 173.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, April 11, 1994**: House Bill(s) No(s). 1965, 2683, 2306, 2736; House Joint Resolution(s) No(s). 590, 591, 586, 587, 589; also, Senate Joint Resolution(s) No(s). 320 and 319.

**CONSENT CALENDAR**

**House Bill No. 2555** -- Insurance Companies, Agents, Brokers -- Includes licensed psychological examiner within list of professionals entitled to be reimbursed for services within scope of practice if policy provides for reimbursement; amount not to exceed percentage of reimbursement provided for psychiatrists in such policy. Amends TCA 56-7-108.

**House Bill No. 2499** -- Criminal Procedure -- Empowers county legislative bodies to designate either county executives or community corrections advisory boards to employ, supervise and terminate employees in community corrections advisory programs. Amends TCA, Title 40, Ch. 36.

On motion, House Bill No. 2499 was made to conform with **Senate Bill No. 2585**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2215** -- Hospitals and Health Care Facilities -- Establishes procedure for appointing temporary nursing home administrator. Amends TCA, Title 68, Ch. 11, Pt. 2.

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On motion, House Bill No. 2215 was made to conform with **Senate Bill No. 1825**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1760** -- District Attorneys -- Entitles district attorney of 15th judicial district to additional secretarial position. Amends TCA 16-2-506.

**House Bill No. 2242** -- Civil Procedure -- Excepts clerk from collecting litigation tax upon commencement of original civil action when action brought by pauper's oath; provides that leading process may not issue in civil case unless security for payment of taxes is given. Amends TCA, Titles 8, 18, 20, 67.

**\*House Joint Resolution No. 0554** -- Highway Signs -- "Dr. George L. Kline Memorial Highway," Scott County.

**\*House Joint Resolution No. 0363** -- Memorials, Government Officials -- Urges Tennessee Wildlife Resources Agency to restore hunting season for waterfowl to dates in effect in 1992.

**\*House Joint Resolution No. 0508** -- Highway Signs -- W.H. "Buck" Dyer Parkway.

**House Bill No. 2668** -- Livingston -- Compensates board of mayor and aldermen \$50.00 each for every regularly scheduled meeting. Amends Chapter 130, Acts of 1907, as amended.

On motion, House Bill No. 2668 was made to conform with **Senate Bill No. 2729**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2182** -- Oakland -- Establishes new charter. Repeals Chapter 336, Private Acts of 1919, as amended.

On motion, House Bill No. 2182 was made to conform with **Senate Bill No. 2340**; the Senate Bill was substituted for the House Bill.

**House Joint Resolution No. 0632** -- Memorials, Public Service -- Cam Metcalf.

**House Joint Resolution No. 0634** -- Memorials, Interns -- Joseph Andrew Kirpatrick.

**House Joint Resolution No. 0635** -- Memorials, Death -- James Baker "J.B." McCaleb.

**House Joint Resolution No. 0636** -- Memorials, Professional Achievement -- Heather M. Gothard, Upper Cumberland District Teacher of the Year.

**House Joint Resolution No. 0637** -- Memorials, Personal Occasion -- Hank Johnson, 100th birthday.

**House Joint Resolution No. 0639** -- Memorials, Death -- L.B. Sutton, Jr.

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House Joint Resolution No. 0640 -- Memorials, Professional Achievement -- Larry Boone, country music artist.

House Joint Resolution No. 0641 -- Memorials, Interns -- Brandi Jeanine McDaniel.

House Joint Resolution No. 0642 -- Memorials, Death -- J.B. Lambert.

House Resolution No. 0172 -- Memorials, Retirement -- Nell Dawson.

House Resolution No. 0173 -- Memorials, Interns -- Joe T. "Jody" Allison, Sr.

House Resolution No. 0174 -- Memorials, Interns -- Willie L. Talley.

House Resolution No. 0175 -- Memorials, Death -- Maxine Carver.

House Resolution No. 0176 -- Memorials, Sports -- 1993-1994 Oneida High School girls' basketball team, TSSAA Class A state champions.

#### OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1760; by Rep. Head.

Under the rules, House Bill No. 1760 was/were placed at the foot of the calendar for Monday, April 11, 1994.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks,



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Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 2247 -- Firearms and Ammunition -- Prohibits sale of confiscated weapons by law enforcement agencies. Amends TCA 39-17-1317, 1318.**

Further consideration of House Bill No. 2247, previously considered on March 3 and 17, 1994, at which time it was reset to the Calendar for April 7, 1994.

Rep. Kisber moved that House Bill No. 2247 be reset one week to the Calendar for Thursday, April 14, 1994, which motion prevailed.

**Senate Bill No. 1495 -- Local Government, General -- Deletes exemption for parcels of property where owner-occupied residence is located, permitting county to remedy dangerous conditions, including overgrown vegetation, trash and vacant dilapidated buildings. Amends TCA 5-1-115.**

Further consideration of Senate Bill No. 1495, previously considered on March 14, 1994, at which time it was substituted for House Bill No. 1361, Amendment No. 1 was withdrawn, and it was reset to the Calendars for March 17 and April 7, 1994.

Rep. Kisber moved that Senate Bill No. 1495 be reset one week to the Calendar for Thursday, April 14, 1994, which motion prevailed.

**House Bill No. 1522 -- Insurance, Health, Accident -- Revises procedures for filing policies with commissioner of commerce and insurance. Amends TCA 56-26-102.**

Further consideration of House Bill No. 1522, previously considered on March 24, 1993; January 26, February 16, and March 24, 1994, at which time it was reset to the Calendar for April 7, 1994.

Rep. Davidson moved that House Bill No. 1522 be reset one week to the Calendar for Thursday, April 14, 1994, which motion prevailed.

**House Bill No. 1072 -- Education -- Requires agreements between school board and professional employees' organization to include procedures for final, binding dispute arbitration. Amends TCA 49-5-612.**

Further consideration of House Bill No. 1072, previously

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considered on May 3 and 10, 1993; February 2, March 16, 17 and 24, 1994, at which time it was reset to the Calendar for April 7, 1994.

Rep. Davidson moved that House Bill No. 1072 be reset one week to the Calendar for Thursday, April 14, 1994, which motion prevailed.

**\*House Bill No. 2380 -- Agriculture, Dept. of --** Revises certain fees imposed by the department of agriculture, plant industries division. Amends TCA, Titles 43, 62.

Further consideration of House Bill No. 2380, previously considered on March 24, 1994, at which time it was reset to the Calendar for April 7, 1994.

Rep. Walley moved that House Bill No. 2380 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 2380 by adding the following language at the end of Section 3:

Provided, however, that no monies deposited in the fund shall be used for salary increases unless such increases are approved by the departments of personnel and finance and administration and the funds for such increases are appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 2380 by deleting the amendatory language of subsection (f) of Section 2, and by substituting therefor the following:

(f) Moneys in the fund shall be expended at the direction of the commissioner of agriculture only to implement and effectuate the purposes of title 43, chapter 6, part 1, and it is hereby declared the legislative intent hereof that moneys in the fund shall not reduce appropriations which would otherwise be made relative to said purposes. Moneys deposited in the fund shall not revert at the end of any fiscal year, and all interest accruing on investments and deposits of the fund not otherwise expended shall be returned to and made a part of the fund. With respect to expenditures from the fund, the

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commissioner shall consult with a committee made up of the following: a nurseryman, actively engaged in the nursery business and designated by the Tennessee Nurserymen's Association; a greenhouse plant producer actively engaged in the business and designated by the plant production business; a representative designated by the Tennessee Farm Bureau; and a licensed pest control operator actively engaged in the pest control business and designated by the Tennessee Pest Control Association.

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Bragg, moved that Amendment No. 4 be withdrawn.

Rep. Walley requested that House Bill No. 2380 be moved down 5 places on the Calendar.

**\*House Bill No. 2378 -- Advertising -- Removes 18 month window for billboard permit after removal of existing outdoor advertising in Memphis, Nashville, Knoxville or Chattanooga; removes prohibition on further outdoor advertising development. Amends TCA 54-21-116.**

Further consideration of House Bill No. 2378, previously considered on March 24, 1994, at which time Amendments Nos. 1 and 2 were tabled, and it was reset to the Calendar for April 7, 1994.

On motion of Rep Haley, **House Bill No. 2378** was withdrawn from the House.

**House Bill No. 2451 -- Purchasing -- Specifies that certain governmental purchasing programs for disadvantaged business enterprises include such enterprises owned by African Americans. Amends TCA, Titles 12, 49, 54.**

Further consideration of House Bill No. 2451, previously considered on March 31, 1994, at which time a motion was made to adopt Amendment No. 1, and it was reset to the Calendar for April 7, 1994.

Rep. Brooks moved that House Bill No. 2451 be reset one week to the Calendar for Thursday, April 14, 1994, which motion prevailed.

**\*House Bill No. 2134 -- Eminent Domain -- Gives right of first refusal to former landowner when state, county or municipality no longer needs all or part of condemned land; establishes method for sale if landowner rejects offer or fails to exercise option. Amends TCA, Title 29, Chs. 16, 17.**

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Further consideration of House Bill No. 2134, previously considered on March 21 and 28 and April 4, 1994, at which time it was reset to the Calendar for April 7, 1994.

Rep. Stulce moved that House Bill No. 2134 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Stulce moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Stulce moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Stulce moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend House Bill No. 2134 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 12, is amended by adding the following new section:

Section \_\_\_\_\_. Notwithstanding any other laws to the contrary, if property acquired by the department of transportation for a right-of-way through the exercise of eminent domain is determined by the commissioner of transportation to be no longer needed for state or public use purposes and such excess property is not disposed of in accordance with the provisions of Tennessee Code Annotated, Section 12-2-112(a)(9), the excess property shall be disposed of by the department of finance and administration in accordance with the following procedures:

(1) The excess property shall be sold to the party from whom it was acquired or to any other adjoining property owner at fair market value.

(2) The costs associated with the conveyance of the land, including, but not limited to, the cost of appraising and surveying the property, shall be reimbursed to the state by the purchaser of the property.

(3) Any such conveyance of the property, made pursuant to this section, shall be approved in advance by the state building commission.

(4) If the party from whom the excess

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property was acquired or any other adjoining property owner are unable or unwilling to purchase the excess property at fair market value, then the excess property may be disposed of in accordance with existing statutes.

(5) For the purposes of this section, the fair market value of the excess property shall initially be determined by the state through procedures established by the state building commission. If such initial determination of fair market value is deemed unacceptable by the intended purchaser, the fair market value of the excess property shall then be determined by averaging the state's initial determination of fair market value with two (2) additional fair market value appraisals of the excess property. The two (2) additional appraisals shall be performed by two (2) non-associated appraisers from the locality in which the excess property is located. The two (2) appraisers shall be mutually agreed upon by the parties of the conveyance; none of the appraisers involved can have any personal or financial interest in the conveyance.

Section 2. This act shall take effect July 1, 1994, the public welfare requiring it.

Rep. Stulce moved that House Bill No. 2134 be reset to the Calendar for Monday, April 11, 1994, which motion prevailed.

House Joint Resolution No. 0630 -- Memorials, Professional Achievement -- Joe "Black Cat" Riley, 65th year with Nashville Banner.

Rep. Hillis requested that House Joint Resolution No. 630 be moved to the heel of the Calendar.

House Bill No. 2808 -- Children -- Extends time from five to ten days in which juvenile offenders may appeal referee's decision with juvenile court. Amends TCA, Title 37.

Rep. Herron moved that House Bill No. 2808 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2808 by deleting SECTION 1 in its

entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Sections 37-1-153 and 37-1-154, are amended by designating the existing language of each such section as subsection (a) and by adding the following new subsections (b) and (c) to each such section:

(b) Notwithstanding the provisions of subsection (a), petitions and orders of the court in a delinquency proceeding under this part shall be opened to public inspection and their content subject to disclosure to the public if:

(i) The juvenile is fourteen (14) years or more of age at the time of the alleged act and the allegation against such juvenile is disposed of in juvenile court; and

(ii) The conduct constituting the delinquent act, if committed by an adult, would constitute first degree murder, second degree murder, rape, aggravated rape, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping or especially aggravated kidnapping.

(c) Notwithstanding the provisions of this section, if a court file or record contains any documents other than petitions and orders, including but not limited to a medical report, psychological evaluation or any other document, such document or record shall remain confidential.

On motion, Amendment No. 1 was adopted.

Rep. Karen Williams moved to adopt Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 2808 by adding the following as a new, appropriately designated section to the printed bill, as amended:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 37-1-114(c) is amended by adding the following as a new, appropriately designated subdivision:

( ) For the purposes of this subsection, "serious physical injury" shall include conduct which would constitute the offenses of aggravated rape, rape and aggravated sexual battery.

On motion, Amendment No. 2 was adopted.

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Rep. moved that **House Bill No. 2808**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 2380** -- Agriculture, Dept. of -- Revises certain fees imposed by the department of agriculture, plant industries division. Amends TCA, Titles 43, 62.

Further consideration of **House Bill No. 2380**, previously considered on today's Calendar.

Rep. Walley requested that **House Bill No. 2380** be moved down 5 places on the Calendar.

**House Bill No. 2775** -- Criminal Offenses -- Adds as enhancement factor that defendant perpetrated violent disturbance or committed crime involving weapon or violence on school property. Amends TCA 40-35-114.

On motion, **House Bill No. 2775** was made to conform with **Senate Bill No. 2628**; the Senate Bill was substituted for the House Bill.

Rep. U. Jones (Shelby) moved that **Senate Bill No. 2628** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. U. Jones (Shelby) moved that **Senate Bill No. 2628** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . . 94  
Noes. . . . . 0

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 2772** -- Pensions and Retirement Benefits -- Directs Tennessee public employee retirement systems to use emerging minority investment managers. Same as \*HB 2794. Amends TCA, Title 8.

Rep. Miller moved that House Bill No. 2772 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 2772 by deleting the amendatory and directory language of SECTION 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 37, Part 1, is amended by adding the following new, appropriately designated section:

(a) In the event the board of trustees directs that outside investment managers be engaged to invest assets of the Tennessee consolidated retirement system, the board of trustees shall endeavor to use emerging investment managers to the greatest extent feasible within the bounds of financial and fiduciary prudence. Any such emerging investment manager must have at least five (5) years of professional investment experience in the asset class for which outside investment managers are being sought.

(b) If the board of trustees directs that outside investment managers be engaged, the treasurer shall



submit an annual statement to the General Assembly regarding the use of emerging investment managers. The statement shall identify the emerging investment managers used by the board, the percentage of the system's assets under the investment control of emerging investment managers, and the actions undertaken to increase the use of emerging investment managers, including encouraging other investment managers to use emerging investment managers as subcontractors when the opportunity arises. Inclusion of such statement within the state treasurer's annual report to the General Assembly shall satisfy this requirement.

(c) As used in this section:

(1) "Emerging investment manager" means a qualified investment adviser that manages an investment portfolio of at least ten million dollars (\$10,000,000) but less than one hundred million dollars (\$100,000,000) and is a minority-owned business;

(2) "Minority-owned business" means a business concern which is at least fifty-one percent (51%) owned by one (1) or more minority persons, or in the case of a corporation, at least fifty-one percent (51%) of the stock of which is owned by one (1) or more minority persons; and the management and daily business operations of which are controlled by one (1) or more of the minority individuals who own it; and

(3) "Minority person" means a person who is a citizen or lawful permanent resident of the United States and who is:

(A) African American; or

(B) Hispanic.

On motion, Amendment No. 1 was adopted.

Rep. Miller moved that **House Bill No. 2772**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher,

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Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2773 -- Alcoholic Beverages --** Includes, for purposes of on-premises liquor sales and consumption, within Beale Street Zone, those buildings which are located contiguous to Beale Street Historic District. Amends TCA 57-4-102.

Rep. Armstrong requested that House Bill No. 2773 be moved to the heel of the Calendar.

**House Bill No. 2342 -- Courts, Juvenile --** Removes appeals to circuit court from juvenile court in cases of termination of parental rights; removes criminal court acceptance hearing when juvenile court transfers juvenile to criminal court for trial as adult. Amends TCA 37-1-159.

On motion, House Bill No. 2342 was made to conform with **Senate Bill No. 1680**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that **Senate Bill No. 1680** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Purcell moved that **Senate Bill No. 1680** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Anderson, Armstrong, Arriola,

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Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

**House Bill No. 2339** -- Courts, Juvenile -- Provides that once juvenile is transferred to criminal court for trial as adult, juvenile court loses jurisdiction over juvenile as to all pending or subsequent delinquent acts or criminal charges against juvenile. Amends TCA 37-1-134.

On motion, House Bill No. 2339 was made to conform with **Senate Bill No. 1681**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that **Senate Bill No. 1681** be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend Senate Bill No. 1681 by adding the following language to the end of subsection (c) of the amendatory language of SECTION 2:

Provided, however, if a child transferred pursuant to this section is acquitted in criminal court on the charge or charges resulting in such transfer, or if such charge or charges are dismissed in such court, this subsection shall not be apply and the juvenile court shall retain jurisdiction over such child.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that **Senate Bill No. 1681**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	91
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brown, Pruitt -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2380** -- Agriculture, Dept. of -- Revises certain fees imposed by the department of agriculture, plant industries division. Amends TCA, Titles 43, 62.

Further consideration of House Bill No. 2380, previously considered on today's Calendar.

Rep. Rhinehart moved that House Bill No. 2380 be reset to the Calendar for Monday, April 11, 1994, which motion prevailed.

**House Bill No. 2866** -- Juvenile Offenders -- Allows juvenile courts to transfer certain juvenile offenders, 14 years of age or younger, to criminal court to be tried and sentenced as adults. Amends TCA 37-1-134.

On motion, House Bill No. 2866 was made to conform with Senate Bill No. 2850; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 2850 be passed on third and final consideration.

Rep. Walley moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	82
Noes. . . . .	8
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Arriola,

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Bittle, Boyer, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Walley, West, Westmoreland, Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood -- 82.

Representatives voting no were: Brooks, Brown, Chumney, Hassell, Jackson, Jones R (Shelby), Turner (Shelby), Williams (Shelby) -- 8.

Representatives present and not voting were: Kernell, Mr. Speaker Naifeh -- 2.

Rep. Purcell moved that **Senate Bill No. 2850** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	85
Noes. . . . .	5
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Hillis, Huskey, Johnson, Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Brooks, Brown, Fisher, Jones R (Shelby), Turner (Shelby) -- 5.

Representatives present and not voting were: Kernell, Pruitt 2.

A motion to reconsider was tabled.

**House Bill No. 2343** -- Juvenile Offenders -- Prohibits placement of juvenile correction facility adjacent to adult facilities after January 1, 1994. Amends TCA 37-1-116.

On motion, House Bill No. 2343 was made to conform with **Senate**

Bill No. 2168; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 2168 be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Purcell moved that Senate Bill No. 2168 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2340 -- Courts, Juvenile -- Removes ten day notice requirement and opportunity for hearing before juvenile court can require parent or guardian to participate in appropriate counseling or treatment program. Amends TCA 37-1-103.

On motion, House Bill No. 2340 was made to conform with Senate Bill No. 1682; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 1682 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell,

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Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2338** -- Children -- Enacts "Early Childhood Development Act of 1994". Amends TCA, Titles 4, 37, 49, 71.

Rep. Purcell moved that House Bill No. 2338 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 2338 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Early Childhood Development Act of 1994".

**SECTION 2.**

(a) The general assembly finds that success in early childhood requires each child to have:

(1) a healthy start through access to adequate prenatal and well-child care;

(2) a well-functioning family which is prepared to assume the responsibilities of parenthood and childbearing;

(3) early learning experiences which promote child development and foster love of learning; and

(4) schools that are prepared to educate and nurture every child and ready to offer appropriate support to children and their families.

(b) Therefore, to ensure the success of every

child, the general assembly finds that the state of Tennessee and its communities must jointly build a comprehensive system of services to support families and to promote the healthy development of young children.

SECTION 3. Tennessee Code Annotated, Title 37, Chapter 3, is amended by adding the following as a new, appropriately designated part:

(a) The state of Tennessee shall develop, coordinate, and implement a healthy start pilot project within five (5) or more counties of the state. The healthy start pilot project shall be based upon the nationally recognized model, shall focus on home visitation and counseling services, and shall improve family functioning and eliminate abuse and neglect of infants and young children within families identified as high risk. Healthy start services for participating families shall extend at least through a child's first three (3) years of life. However, family participation shall be voluntary; and, if a family refuses healthy start services, then such refusal shall not be admissible in evidence for any subsequent cause of action.

(b) Healthy start pilot projects shall ensure that:

(1) Families are educated about child health and child development;

(2) Families receive services to meet child health and development needs;

(3) Families receive services as identified and prioritized by the family and the project; and

(4) Services focus on empowering the family and strengthening life-coping and parenting skills.

(c) Specific objectives for healthy start pilot projects shall include that:

(1) Family stress is reduced and family functioning is improved;

(2) All of the children receive immunizations by two (2) years of age;

(3) All of the children receive developmental screening and follow-up services;

(4) All of the children are free from abuse



and neglect; and

(5) Mothers are enrolled in prenatal care by the end of the first trimester of any subsequent pregnancy.

(d) The state of Tennessee shall conduct ongoing evaluations of the healthy start pilot project and shall file a joint report, on or before December 31 of each year, with the governor; the chairman of the general welfare, health and human resources committee of the senate; the chairman of the health and human resources committee of the house of representatives; and the chairman of the select committee on children and youth. All state agencies which provide services to children shall make available nonidentifying information about healthy start participants for the purpose of conducting the evaluation. The report shall include the following information for the preceding fiscal year:

(1) The number of families receiving services through the pilot project;

(2) The number of children at risk of abuse and neglect prior to initiative of service to families participating in the pilot project;

(3) Among those children identified in subdivision (2), the number of children who have been the subjects of abuse and neglect reports;

(4) The average cost of services provided under the pilot project;

(5) The estimated cost of out-of-home placement, through foster care, group homes or other facilities, which reasonably would have otherwise been expended on behalf of children who successfully remain united with their families as a direct result of the project, based on average lengths of stay and average costs of such out-of-home placements;

(6) The number of children who remain unified with their families and free from abuse and neglect for one (1), two (2), three (3), and four (4) years, respectively, while receiving project services; and

(7) An overall statement of the achievements and progress of the pilot project during the preceding fiscal year, along with recommendations for improvement and/or expansion.

SECTION 4. Tennessee Code Annotated, Title 37, Chapter 3, Part 6, is amended by adding the following as a new, appropriately designated section:

Beginning with fiscal year 1994-1995, the departments of human services, mental health and mental retardation, and youth development shall jointly implement the program of family preservation services at a level sufficient to meet the need for such services across the state.

SECTION 5. Tennessee Code Annotated, Section 49-2-115(c), is amended by adding the following language:

Beginning with the 1994-1995 school year, the number of family resource centers receiving such planning and implementation grants shall equal at least twice the number of centers which received such grants during the 1993-1994 school years.

SECTION 6. Tennessee Code Annotated, Section 49-6-101, is amended by adding the following as a new, appropriately designated subsection:

( )The state board of education, in consultation with the other state agencies which provide services to children, shall propose an efficient and effective plan to provide early childhood education and prekindergarten programs for all three (3) and four (4) year old children within the state who are at risk of education disadvantage and failure due to circumstances of poverty, abuse, neglect, disability, and family dysfunction. The plan proposed by the board shall be developed in consultation with other key early childhood providers such as head start, the Tennessee association on young children, therapeutic nurseries and quality child care programs, and the services shall be designed to build upon and utilize the range of existing quality prekindergarten and early childhood services. The plan shall include the following components: a high quality early childhood education for every child served; strong parental involvement; a focus on helping children and families make the transition to elementary schools; broad community planning and involvement in implementing the program; and requirements that programs meet the needs of children and their families. Efforts to ensure that programs meet the needs of children and families should include but not be limited to addressing the needs of families who need full-working day and year services in order to work, as well as addressing the health, nutrition, and social service needs of children and their families; these efforts shall be made by providing such services directly or by linking families to existing services. The plan shall include

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a schedule for implementation at levels sufficient to meet the statewide need for such programs and a formula for funding such programs.

The state board of education shall submit the proposal, including any legislative recommendations necessary to implement such proposal, on or before January 16, 1995.

SECTION 7. This act shall take effect on July 1, 1994, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 2

Amend House Bill No. 2338 by adding the following to the end of Section 3 as a new, appropriately designated subsection:

( )

(1) When offering healthy start services to a family, the state or its contractor shall provide that family with a written statement and oral explanation. Both the statement and explanation shall describe the following information:

(A) the purpose of the healthy start project;

(B) project services which may be offered;

(C) the voluntary nature of participation and the family's right to decline services at any time;

(D) the project records to be maintained with respect to participating families; and

(E) the family's right to review project records pertaining to that family.

(2) After providing the oral explanation, the state or its contractor shall, on the written statement, obtain signed consent from the parents or caretakers of a child. The parents or caretakers shall receive a copy of the signed statement and a copy will be maintained in the family's record.

(3) Each participating family shall have the right to review project records pertaining to that family. The state or its contractor shall make such

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record available for review during regular office hours.

On motion, Amendment No. 2 was adopted.

Rep. Purcell moved that **House Bill No. 2338**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brown, Stockburger -- 2.

A motion to reconsider was tabled.

**CHAIR TO SPEAKER**

Mr. Speaker Naifeh resumed the Chair.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2556** -- Custody and Support -- Authorizes judges in judicial district to adopt local rule requiring both parties in domestic relations proceeding involving minor child to attend educational awareness program prior to conclusion of proceeding. Amends TCA, Title 36, Ch. 6, Pt. 1.

On motion, House Bill No. 2556 was made to conform with **Senate Bill No. 2334**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that **Senate Bill No. 2334** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

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Rep. Hargrove moved that **Senate Bill No. 2334** be passed on third and final consideration.

Rep. Herron moved the previous question, which motion prevailed.

Rep. Hargrove moved that **Senate Bill No. 2334** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	3
Present and not voting. . . . .	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Meyer, Shirley, Wood -- 3.

Representatives present and not voting were: Brown, Robinson -- 2.

A motion to reconsider was tabled.

**House Bill No. 2500** -- Correctional Programs -- Allows county legislative bodies to request department of correction to operate community corrections advisory program within counties not establishing own boards. Amends TCA 40-36-301.

On motion, House Bill No. 2500 was made to conform with **Senate Bill No. 2586**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 2586** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Rhinehart moved that **Senate Bill No. 2586** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . . 95  
Noes. . . . . 0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 2394** -- Contractors -- Extends adoption of 1992 Model Energy Code for new building construction from January 1, 1994 to January 1, 1995. Amends Chapter 193, Public Acts of 1993.

Rep. Davidson moved that House Bill No. 2394 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 2394 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Chapter 193 of the Public Acts of 1993 is amended by deleting Section 4 in its entirety and by substituting instead the following:

Section 4. This act shall take effect July 1, 1994, the public welfare requiring it.

SECTION 2. Tennessee Code Annotated, Section 13-19-103, is amended by adding a new item thereto, as follows:

( ) Additions to one and two-family dwellings which:

(A) Are less than ten percent (10%) of the square footage of the dwelling; and

(B) Have more than fifty percent (50%) of the total outside wall and roof space composed of glass.

SECTION 3. Tennessee Code Annotated, Title 13, Chapter 19, is amended by adding a new section thereto, as follows:

Section \_\_\_\_\_. Any worksheets, prescriptive methods, alternative methods or practices concerning the Model Energy Code compliance deemed acceptable by the United States department of housing and urban development shall be acceptable in the state of Tennessee.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved that **House Bill No. 2394**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

**House Bill No. 2220 -- Hospitals and Health Care Facilities --** Authorizes building and life safety regulations adopted by licensing board to be the exclusive applicable regulations. Amends TCA 68-11-202.

Rep. Kisber moved that **House Bill No. 2220** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Joint Resolution No. 0630** -- Memorials, Professional Achievement -- Joe "Black Cat" Riley, 65th year with Nashville Banner.

Further consideration of House Joint Resolution No. 630, previously considered on today's Calendar.

Rep. Hillis moved that **House Joint Resolution No. 630**, be adopted, with all members voting aye added as sponsors, which motion prevailed by the following vote:

Ayes. . . . .	91
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**House Bill No. 0764** -- Capital Punishment -- Allows person



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receiving sentence of death to elect method of execution from options of lethal injection, firing squad, or hanging; requires commissioner of correction to establish procedures for each method of executing death sentence. Amends TCA, Titles 39, 40.

Rep. Fisher moved that House Bill No. 0764 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 764 by deleting from section (a) of the amendatory language of SECTION 1 the word and number "three (3)" and substituting instead the word and number "two (2)".

AND FURTHER AMEND by deleting subparts (1), (2) and (3) of subsection (a) of the amendatory language of SECTION 1 and by substituting instead the following:

(1) Death by electrocution; or

(2) Death by lethal injection.

AND FURTHER AMEND by deleting from the effective date section the date "July 1, 1993" and substituting instead the date "July 1, 1994".

On motion, Amendment No. 2 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

**Amendment No. 3**

Amend House Bill No. 764 by adding the following as an appropriately designed new section:

Section \_\_\_\_\_. This act shall have no effect unless funding for its implementation is included in the general appropriations act.

On motion, Amendment No. 3 was adopted.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 4.

Rep. McAfee move we reconsider our action in adopting Amendment No. 3, which motion prevailed. Rep. McAfee moved that Amendment No.

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3 be withdrawn, which motion prevailed.

Rep. Fisher moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Fisher moved that House Bill No. 764 be passed on third and final consideration.

Rep. DeBerry moved the previous question, which motion prevailed by the following vote:

Ayes. . . . .	67
Noes. . . . .	19
Present and not voting. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Byrd, Chiles, Chumney, Cole (Carter), Cole (Dyer), Crain, Cross, Davis, DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Haun, Head, Hillis, Huskey, Jackson, Johnson, Jones U (Shelby), Kent, Kisber, Lewis, Liles, Love, McAfee, McDaniel, Meyer, Miller, Mires, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pruitt, Purcell, Ramsey, Rhinehart, Rigsby, Rinks, Robinson, Severance, Shirley, Stockburger, Stulce, Tindell, Walley, West, Williams (Union), Williams (Williamson), Windle, Winningham, Wix -- 67.

Representatives voting no were: Brown, Buck, Callicott, Coffey, Collier, Davidson, Hargrove, Herron, Jones R (Shelby), Knight, McKee, Moore, Pinion, Ridgeway, Stamps, Turner (Shelby), Westmoreland, Williams (Shelby), Wood -- 19.

Representatives present and not voting were: Kernell -- 1.

Rep. Fisher moved that **House Bill No. 764**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	80
Noes. . . . .	9
Present and not voting. . . . .	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Byrd, Callicott, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Haun, Head, Hillis, Huskey, Jackson, Johnson, Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 80.

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Representatives voting no were: Brooks, Brown, Buck, Chiles, Hargrove, Herron, Jones R (Shelby), Moore, Turner (Shelby) -- 9.

Representatives present and not voting were: Jones U (Shelby), Miller, Pruitt -- 3.

A motion to reconsider was tabled.

**REMARKS**

Rep. Buck asked that the following comments on House Bill No. 764 be spread in the journal:

"I could not support 764 because I do not feel that the taxpayers of Tennessee should spend 50,000 to give a convicted murderer a choice as to how to die when he gave his victim no choice. The fiscal note indicates a firing squad could be done for \$7500.00. Surely the government could find a cheaper way to operate a firing squad than \$7500. Likewise I could support the expenditure of 50,000 for a lethal injection machine if electrocution is found unconstitutional. Why spend the money to buy the machine till it is needed? I support capital punishment and I can find no reason to give a cold blooded killer the right to choose his method of death when he gave his victim no choice whatever."

**REQUEST TO CHANGE VOTE**

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 764 and have this statement entered in the Journal: Rep(s). Robinson.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2093 -- Evidence --** Establishes more rigorous standard for court ordered disclosure of otherwise privileged communications between psychiatrist and patient. Amends TCA, Title 24, Ch. 1, Pt. 2.

Rep. Jackson moved that House Bill No. 2093 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1, seconded by Rep. Jackson, as follows:

**Amendment No. 1**

Amend House Bill No. 2093 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 24-1-207, is amended by deleting subdivision (b)(1) in its entirety

and by redesignating the subsequent section accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Jackson moved that **House Bill No. 2093**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 2773** -- Alcoholic Beverages -- Includes, for purposes of on-premises liquor sales and consumption, within Beale Street Zone, those buildings which are located contiguous to Beale Street Historic District. Amends TCA 57-4-102.

Further consideration of House Bill No. 2773, previously considered on today's Calendar.

Rep. Armstrong moved that House Bill No. 2773 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

Amend House Bill No. 2773 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(15), is amended by adding the following new paragraph:

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"Museum" also means an "art museum" which is a building or institution serving as a repository of works of art for public display and further possesses the following characteristics:

(A) The art museum is owned and operated by a bona fide charitable or nonprofit organization which has been in existence for at least twenty-five (25) years;

(B) The art museum is located in a building which contains not less than fifty thousand (50,000) square feet; and

(C) The art museum is located in a former world's fair site.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved that House Bill No. 2773 be passed on third and final consideration.

Rep. Haun moved the previous question, which motion prevailed.

House Bill No. 2773, as amended, passed on third and final consideration by the following vote:

Ayes. . . . .	54
Noes. . . . .	26
Present and not voting. . . . .	9

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bittle, Boyer, Brooks, Brown, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Collier, Crain, DeBerry, Dixon, Duer, Fowlkes, Haley, Halteman Harwell, Head, Herron, Jackson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Liles, Love, Meyer, Miller, Napier, Odom, Peroulas Draper, Phelan, Pinion, Pruitt, Purcell, Robinson, Severance, Stamps, Stulce, Thompson, Tindell, Turner (Shelby), West, Westmoreland, Williams (Shelby), Williams (Williamson), Wix, Mr. Speaker Naifeh -- 54.

Representatives voting no were: Bell, Byrd, Cross, Davidson, Ferguson, Fisher, Givens, Gunnels, Haun, Hillis, Johnson, Kisber, McAfee, McDaniel, McKee, Mires, Phillips, Ramsey, Rhinehart, Ridgeway, Stockburger, Walley, Williams (Union), Windle, Winningham, Wood -- 26.

Representatives present and not voting were: Bragg, Cole (Dyer), Hassell, Joyce, Knight, Lewis, Owenby, Rinks, Shirley -- 9.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 0518** -- Education -- Requires public schools to offer courses on bicycle safety. The department of safety to provide assistance; students who complete bicycle safety course receive certificate of recognition. Amends TCA 49-6-1003.

**Senate Amendment No. 1**

Amend House Bill No. 518 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-1003, is amended by adding a new subsection thereto, as follows:

(c) The department of education is urged to pilot the development of a bicycle safety curriculum for distribution to local education agencies, which may include it in the safety instruction otherwise required by this section.

SECTION 2. This act shall take effect July 1, 1994, the public welfare requiring it.

Rep. Callicott moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 518**, which motion prevailed by the following vote:

Ayes. . . . .	90
Noes. . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Chiles -- 1.

A motion to reconsider was tabled.

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### HOUSE ACTION ON SENATE MESSAGE

**House Bill No. 0933** -- District Attorneys -- Creates one additional position of criminal investigator for eighth judicial district. Amends TCA, Title 16, Ch. 2, Pt. 5.

Rep. Winningham moved that House Bill No. 993 be reset one week to the Message Calendar for April 14, 1994, which motion prevailed.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1742** -- Motor Vehicles -- Authorizes special license plates and cultural license plates for recreational vehicles, same as for passenger vehicles and pick-up trucks. Amends TCA, Title 55, Ch. 4.

#### Senate Amendment No. 3

Amend House Bill No. 1742 by adding the following new section:

SECTION \_\_\_\_: Tennessee Code Annotated, Section 55-4-225(a) is amended by deleting the language "A member of the general assembly" and substituting instead the following "A former or present member of the general assembly".

Rep. West moved that the House nonconcur in Senate Amendment(s) No(s). 3 to House Bill No. 1742, which motion prevailed.

### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2404** -- Physicians and Surgeons -- Authorizes foreign team doctors to treat athletes at the Ocoee Whitewater venue in Polk County during Olympic games. Amends TCA, Title 63, Ch. 1.

#### Senate Amendment No. 1

Amend House Bill No. 2404 by deleting from the first line of the amendatory language of Section 1 the figures and symbols "63-6-\_\_".

Rep. Fisher moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2404, which motion prevailed by the following vote:

Ayes. . . . .	92
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd,

Callicott, Chiles, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 2657 -- Audiologists and Speech Pathologists --** Modifies licensure of speech pathologists and audiologists; clarifies that requirements for hearing aid dispensers do not apply to licensed audiologist in treating and fitting hearing aids. Amends TCA 63-15-106; Title 63, Ch. 17, Pt. 1.

#### Senate Amendment No. 1

Amend House Bill No. 2657 by deleting from the amendatory language of Section 2, subdivision (6) the word "diagnosis" and by substituting the word "assessment".

AND FURTHER AMEND by deleting from the amendatory language of Section 2, subdivision (6) the words "of diagnosing" and by substituting the word "assessing".

AND FURTHER AMEND by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ Tennessee Code Annotated, Title 63, Chapter 17, Part 1, is amended by adding the following language as new, appropriately designated sections:

Section \_\_\_\_.

(a) Within thirty (30) days of the date of delivery, any purchaser of a hearing aid from an audiologist licensed by the board to practice the assessing, selecting, fitting or dispensing or engaging in the sale of hearing aids to the human ear is entitled to return the hearing aid for any reason; provided, that such aid is returned in satisfactory condition, and such purchaser shall pay only reasonable charges for the hearing aid and related services. Such return privileges apply only to a first-time purchaser of a hearing aid.



(b) Charges to be imposed upon return of a hearing aid as provided in subsection (a) shall be clearly stated in the bill of sale.

(c) This section shall not be construed to supersede any duly promulgated regulation issued by the federal trade commission.

Section \_\_\_\_\_. When engaging in assessment, selection, fitting and sale of amplification systems or other assistive devices and technologies, a licensed audiologist shall perform such activities in compliance with the highest standards of professional conduct specifically prescribed for such activities by the United States Food and Drug Administration, the Academy of Dispensing Audiologists, the American Academy of Audiology, the American Speech-Language-Hearing Association, and the Tennessee Board for Licensing Hearing Aid Dispensers. Through promulgation of rules, publication and distribution of pamphlets, and/or other appropriate means, the board shall periodically notify and update all licensed audiologists concerning the applicable standards of conduct enforced pursuant to this section.

Section \_\_\_\_\_. Tennessee Code Annotated, Section 63-17-111, is amended by adding the following language as a new, appropriately designated subsection:

( )

(1) Each audiologist licensed prior to July 1, 1994, who wishes to engage in the fitting and sale of hearing aids but who has not engaged in such activities during the five (5) year period immediately preceding July 1, 1994, must first demonstrate by means of practical examination sufficient competency to fit and sell hearing aids.

(2) Each audiologist licensed on or after July 1, 1994, who wishes to engage in the fitting and sale of hearing aids, must first demonstrate by means of practical examination sufficient competency to fit and sell hearing aids.

(3) The practical examination referred to in subsections (1) and (2) will be equivalent to or more stringent than the fitting and selling portions of the practical examination for competency administered by the board of licensing hearing aid dispensers.

AND FURTHER AMEND by deleting in the third line of the amendatory language of Section 4 the words "to practice" and by substituting instead the words "from practicing".

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AND FURTHER AMEND by deleting Section 7 in its entirety and by substituting instead the following new Section 7:

Section 7. Tennessee Code Annotated, Section 63-17-110, is amended by inserting the word "language" after the word "speech" wherever it appears in subsections (a) and (b)(1).

#### Senate Amendment No. 2

Amend House Bill No. 3639 by inserting the following as a new section immediately preceding the final section and by renumbering the final section accordingly:

#### SECTION \_\_.

(a) Tennessee Code Annotated, Section 63-17-114(2)(B), is amended by deleting the words and punctuation "employed by federal or state governmental agencies;" and by substituting instead the words and punctuation "employed by federal governmental agencies;".

(b) Tennessee Code Annotated, Section 63-17-114(8), is amended by deleting the words "under the supervision of a physician" and by substituting instead the words "under the direct supervision of a physician".

Rep. Arriola moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to House Bill No. 2657.

Rep. Arriola moved that House Bill No. 2657 be reset to the Calendar for Monday, April 11, 1994, which motion prevailed.

#### UNFINISHED BUSINESS

#### RULES SUSPENDED

Rep. Liles moved that the rules be suspended for the purpose of introducing House Resolution No. 177 out of order, which motion prevailed.

House Resolution No. 0177 -- Memorials, Recognition and Thanks -- Middle Tennessee Nursing Honor Society. by \*Liles, \*Bragg, \*Mires.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Liles, the resolution was adopted.

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A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, April 11, 1994:

**House Bill No. 2725:** Rep. Thompson.

**House Bill No. 2395:** Rep. Head.

**RULES SUSPENDED**

Rep. Purcell moved to suspend Rule No. 80(1), relative to the time for placing bills on notice in Committee, so that House Joint Resolution(s) No(s). 638, 624, 582; also, Senate Joint Resolution(s) No(s). 350 and 137 could be heard by the Transportation Committee on Tuesday, April 12, 1994, which motion prevailed.

**RULES SUSPENDED**

Rep. Purcell moved to suspend Rule No. 80(1), relative to the time for placing bills on notice in Committee, so that Senate Joint Resolution No. 390 could be heard by the Agriculture Committee on Tuesday, April 12, 1994, which motion prevailed.

**RULES SUSPENDED**

Rep. Purcell moved that the rules be suspended for the introduction and passage on first consideration of House Bill No. 2920, which motion prevailed.

**\*House Bill No. 2920 -- County Officers --** Allows veterans who received a general discharge under honorable conditions to qualify for election or appointment to office of sheriff; presently veterans must have received honorable discharge in order to qualify for such office. Amends TCA 8-8-102. by \*Crain, \*Kent, \*Ferguson, \*Knight.

**BILL RE-REFERRED**

Rep. Purcell moved that House Bill No. 2459, referred by the Judiciary Committee to the Finance, Ways and Means Committee, be referred instead to the Calendar and Rules Committee, which motion prevailed.

**SPONSORS ADDED**

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of

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each having agreed to such addition:

**House Joint Resolution No. 486:** Rep(s). Hillis, Cross and Ridgeway as prime sponsor(s).

**House Joint Resolution No. 589:** Rep(s). Ridgeway as prime sponsor(s).

**House Joint Resolution No. 633:** Rep(s). Kisber as prime sponsor(s).

**House Bill No. 764:** Rep(s). Mires, Joyce and Meyer as prime sponsor(s).

**House Bill No. 1670:** Rep(s). Cross as prime sponsor(s).

**House Bill No. 1683:** Rep(s). Joyce, Kent, Tindell, Herron, Hassell, Cole (Carter), Liles and Callicott as prime sponsor(s).

**House Bill No. 2338:** Rep(s). Arriola, Mires and Love as prime sponsor(s).

**House Bill No. 2339:** Rep(s). Hargrove and Arriola as prime sponsor(s).

**House Bill No. 2340:** Rep(s). Hargrove, Mires and Arriola as prime sponsor(s).

**House Bill No. 2342:** Rep(s). Hargrove as prime sponsor(s).

**House Bill No. 2343:** Rep(s). Hargrove and Mires as prime sponsor(s).

**House Bill No. 2415:** Rep(s). Ridgeway, Cross, Johnson, Moore, Lewis, Herron and Jackson as prime sponsor(s).

**House Bill No. 2556:** Rep(s). Love as prime sponsor(s).

**House Bill No. 2772:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2834:** Rep(s). Odom as prime sponsor(s).

**House Bill No. 2866:** Rep(s). Mires, Arriola and Peroulas Draper as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Hargrove was/were removed as sponsor(s) of House Bill No. 2378.

THURSDAY, APRIL 7, 1994 — EIGHTY-FOURTH LEGISLATIVE DAY

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 7, 1994**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1112, 1380, 2021, 2128, 2240, 2348 and 2488; also, House Joint Resolution(s) No(s). 371, 415, 432, 434, 472, 492, 493, 502 and 503.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**  
**April 7, 1994**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1477, 2152, 2323, 2458, 2615, 2728, 2744, 2871, 2892, 2893, 2894, 2895 and 2896; House Joint Resolution(s) No(s). 566, 567, 568, 569, 570, 571, 573, 574, 575, 576 and 577; also, House Resolution(s) No(s). 168, 169, 170 and 171.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**April 7, 1994**

The Speaker signed the following: House Bill(s) No(s). 1477, 2152, 2323, 2458, 2615, 2728, 2744, 2871, 2892, 2893, 2894, 2895 and 2896; House Joint Resolution(s) No(s). 566, 567, 568, 569, 570, 571, 573, 574, 575, 576 and 577; also, House Resolution(s) No(s). 168, 169, 170 and 171.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**April 7, 1994**

MR. SPEAKER: I am directed to return to the House, House Bill No. 1866.

The Speaker appointed a Conference Committee composed of Senators Albright, Womack, Rochelle, Gilbert and Kyle to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 1866.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 7, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate

**THURSDAY, APRIL 7, 1994 -- EIGHTY-FOURTH LEGISLATIVE DAY**

Joint Resolution(s) No(s). 450; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 0450 -- Memorials, Retirement --**  
Senator Ronnie Greer. by \*Atchley, \*Albright, \*Burks, \*Cohen,  
\*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Elsea, \*Ford, \*Gilbert,  
\*Hamilton, \*Harper, \*Haynes, \*Henry, \*Holcomb, \*Jordan, \*Koella,  
\*Kyle, \*Leatherwood, \*McKnight, \*McNally, \*O'Brien, \*Patten,  
\*Person, \*Rice, \*Rochelle, \*Springer, \*Wallace, \*Womack, \*Wright,  
\*Wilder.

**MESSAGE FROM THE SENATE**  
**April 7, 1994**

MR. SPEAKER: I am directed to return to the House, House  
Bill(s) No(s). 1897 and 2682; substituted for Senate Bill(s) on the  
same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 7, 1994**

MR. SPEAKER: I am directed to return to the House, House Joint  
Resolution(s) No(s). 578, 581, 583, 585, 597, 598, 599, 601, 602,  
603, 604, 605, 606, 607, 608 and 609; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**April 7, 1994**

MR. SPEAKER: I am directed to transmit to the House, Senate  
Bill(s) No(s). 1674, 1716, 1983, 2015, 2139, 2292, 2323, 2350, 2392,  
2403, 2452, 2465, 2572 and 2575; also, Senate Joint Resolution(s)  
No(s). 359 and 432; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**  
**April 7, 1994**

The Speaker signed the following: Senate Bill(s) No(s). 1674,  
1716, 1983, 2015, 2139, 2292, 2323, 2350, 2392, 2403, 2452, 2465,  
2572 and 2575; also, Senate Joint Resolution(s) No(s). 359 and 432.

**ENGROSSED BILLS**  
**April 7, 1994**

The following bill(s) have been examined, engrossed, and are

**THURSDAY, APRIL 7, 1994 -- EIGHTY-FOURTH LEGISLATIVE DAY**

ready for transmission to the Senate: House Bill(s) No(s). 2093 and 2773.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**ENGROSSED BILLS**

**April 7, 1994**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2220, 2242, 2338, 2394, 2555, 2772 and 2808; also, House Joint Resolution(s) No(s). 363, 508, 554, 630, 632, 634, 635, 636, 637, 639, 640, 641 and 642.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**ENGROSSED BILLS**

**April 7, 1994**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 764.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE**

**April 7, 1994**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No. 1783, without action.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**MESSAGE FROM THE SENATE**

**April 7, 1994**

**MR. SPEAKER:** I am directed to return to the House, House Bill(s) No(s). 1477, 2152, 2323, 2458, 2615, 2728, 2744, 2871, 2892, 2893, 2894, 2895 and 2896; also, House Joint Resolution(s) No(s). 566, 567, 568, 569, 570, 571, 573, 574, 575, 576 and 577; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**MESSAGE FROM THE SENATE**

**April 7, 1994**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill(s) No(s). 2068, 2211, 2556 and 2577; passed by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**THURSDAY, APRIL 7, 1994 -- EIGHTY-FOURTH LEGISLATIVE DAY**

**\*Senate Bill No. 2068 -- Adoption --** Requires termination of parental rights if parents are unable to care for child; provides for adoption placement. Amends TCA, Title 37. by \*Springer, \*McKnight.

**\*Senate Bill No. 2211 -- Education, Higher --** Increases from 15 to 20 days time in which support staff of state universities and community colleges may file grievances. Amends TCA, Title 49. by \*O'Brien, \*Albright, \*Harper, \*Davis.

**\*Senate Bill No. 2556 -- Election Laws --** Revises law concerning absentee voting; authorizes early voting. Amends TCA, Title 2, Chs. 2, 3, 5--7, 12, 19. by \*Crutchfield, \*Rochelle, \*McKnight, \*Crowe, \*Cohen.

**\*Senate Bill No. 2577 -- Health --** Requires posting of sign in restroom facilities available to public; sign to read "FOR GOOD HEALTH, PLEASE WASH YOUR HANDS"; failure to post sign subjects entity to civil fine of \$50.00. Amends TCA, Title 68, Ch. 2. by \*Ford.

**MESSAGE FROM THE SENATE**

**April 7, 1994**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 427 and 428; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**Senate Joint Resolution No. 0427 -- Memorials, Professional Achievement --** Anita Baltimore, Designer of the Year. by \*Henry, \*Crutchfield.

**Senate Joint Resolution No. 0428 -- Memorials, Interns --** Jennifer Stribling. by \*Greer.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 7, 1994**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1477, 2152, 2323, 2458, 2615, 2728, 2744, 2871, 2892, 2893, 2894, 2895 and 2896; also, House Joint Resolution(s) No(s). 566, 567, 568, 569, 570, 571, 573, 574, 575, 576 and 577.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**CONSENT CALENDAR**

**April 7, 1994**

The following local bills have been placed on the Consent Calendar for Monday, April 11, 1994: House Bill(s) No(s). 2903.



THURSDAY, APRIL 7, 1994 -- EIGHTY-FOURTH LEGISLATIVE DAY

REPORT OF THE DELAYED BILLS COMMITTEE

Pursuant to Rule No. 77, we the undersigned members of the Delayed Bills Committee have approved the following bills to be introduced: House Bill(s) No(s). 2886, 2898, 2902 and 2904.

Jimmy Naifeh, Speaker  
Bill Purcell  
H. E. Bittle

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowkes, Garrett, Givens, Gunnels, Haley, Haltzman, Harwell, Hargrove, Haasell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones B (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, April 11, 1994.